



## BAKER REPLIES TO DECISION CRITICS

### Judge Tells Why Court Reversed Action

### OF STANDARD OIL FINE

### Said It Was Not Parent Organization on Trial, But an Offspring

### EVERY FIRM HAS SAME RIGHT

### Judge Baker Insists That What Any One May Say About His Decision, is Not Worth More Than His Opinion.

GOSHEN, Ind., Aug. 26.—Judge Francis E. Baker, of the United States Court of Appeals, which reversed the decision of Judge Landis fining the Standard Oil Company \$29,000,000, replied yesterday to the criticism of his court.

"In the first place," he said, "it was not the Standard Oil Company incorporated under the laws of New Jersey, the parent concern, that was on trial, but the Standard Oil Company of Indiana, an offspring, undoubtedly, but a much weaker organization.

"But when it came to pass judgment it was on the offenses of the parent company that the Indiana offspring was found guilty, and it was on the property and revenues of the parent company that the fine of the offspring was gauged. If it was the desire and purpose of the court to punish the Standard Oil Company of New Jersey, that company should have been indicted, either jointly or separately, and have been brought into court.

"Every corporation has exactly the same rights as an individual, no more, no less. The parent company is, of course, more or less responsible for the acts of the Indiana Company. The people will sooner or later realize that the courts are not swayed by any other influence that law and pre-

## SOCIALISTS ANSWER TO BRYAN'S LETTER

### Socialist Party Think Democrats Not Sincere in Promises

NEW YORK, Aug. 26.—John Spargo, a member of the National Committee socialist party has sent a letter to Bryan in which he answers the appeal of the latter at Indianapolis for the socialist votes, declares it a bold but pathetic and futile bid of socialistic support and declares the "known abuses" are no where so flagrant as in the south which is almost wholly democratic. Spargo asserts the conditions in the south with peonage of other evils rampant, through the alleged toleration of democratic officeholders, is not an indication of any sincere desire on the part of the democratic party for the people to rule.

## INTERNATIONAL FISHING CODE MAY CHANGE

### JORDAN ARRIVES AT PORTLAND AND GIVES INTERESTING INFORMATION

### PRESENT LAWS WORK INJURY

### Dr. Jordan Says it is a Well Known Fact That Conflicting Laws do Much to Injure the Fishing Industry.

PORTLAND, Aug. 26.—Dr. David Starr Jordan, president of the Stanford University and American member of the international committee to investigate fishing, arrived today. As a result of his investigations during the summer it is likely that a new international fishing code will be evolved and that important rulings will be incorporated. With Dr. Jordan on the committee was S. T. Basteldor, of Toronto, a representative of the British government.

"Unless some rigid action is taken," he said, "the international fishing grounds will be destroyed, or at least injured just as much as the Columbia river fishing interests have been injured. It is a well known fact that the conflicting laws of Washington and Oregon have injured the fishing interests of the two states, and similar results will come from the present operation of the international laws. We have spent the last three months in investigating the fishing interests of this country and of England in the waters that are adjacent to our shores, and a new code of laws will be formulated."

cedent. What any one man may say in regard to the decision of a court counts for no more than his opinion. All I know in reality about the case is that a common thing has occurred—a motion for a rehearing has been filed."

## TOWN OF AUGUSTA COMPLETELY SUBMERGED BY WATER

### Down-Town Portion of Business Houses Demoralized—Damage May Reach Half Million

### THE UNION DEPOT IS TEN FEET UNDER WATER

### Three Deaths Reported—Large Cotton Warehouse and Wholesale Grocery Warehouse on Fire—Owing to Conditions Some of the Reports Cannot Be Confirmed

ATLANTA, Ga., Aug. 26.—A long distance telephone from an Associated Press correspondent from Augusta says the city is completely under water. The downtown portion of business houses, telegraph offices and newspaper offices are completely demoralized. Three deaths were reported at Augusta today, two whites and one negro. The damage estimated will reach half a million. At 8:30 tonight it was learned through a single wire of the Georgia railroad

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### WOOL WILL BE STORED.

SALT LAKE, Aug. 26.—Resolutions approving the plan of the national storage for the western wool

company partly into Augusta, that a large cotton warehouse and wholesale grocery warehouses of the Nixon Company was burning. The union depot is under 10 feet of water and in the best residence district the six feet is slowly rising. The report of a fire in the Nixon warehouses cannot be confirmed. The telegraph operator could not get near enough to get definite information on account of water but the first burning is in the vicinity of the big warehouses.

crop was adopted unanimously today by executive committee of the National Wool Growers' Association. The president of the association was authorized to name a committee to select the city where a central storage market can be established and to form a corporation.

### BASEBALL GAMES.

- National League.
  - Pittsburg 3, New York 4.
  - Chicago 6, Brooklyn 4.
- Pacific Coast League.
  - San Francisco 8, Los Angeles 1.
  - Portland 3, Oakland 6.
- Northwest League.
  - Seattle 2, Aberdeen 5.
  - Tacoma 6, Spokane 8 (11 innings).
  - Butte 10, Vancouver 7.

## THIRTY MINERS ENTOMBED IN A BURNING DEATH TRAP

### One of the Worst Mine Disasters in the Southwest Occurs in State of Oklahoma

### ALL MEANS OF ESCAPE SHUT OFF BY FLAMES

### Barrel of Oil Catches Fire and Explodes, Throwing Burning Oil in All Directions, Which Spreads With Such Rapidity As to Make Escape Impossible From Lower Tiers

McALESTER, Okla., Aug. 26.—One of the worst mine disasters in the history of this part of the Southwestern occurred at Haileyville, 15 miles east of here today, when between 25 and 30 miners were entombed in the Hailey-Ola coal mine No. 1, the result of a fierce fire that it is believed has shut off all means of escape. The men whose escape was shut off are in the lower part of the mine. At noon a telephone message from the scene stated that the fire was burning so fiercely that it was impossible for rescuers to enter the shaft and it was then believed the entombed men must surely be burned to death. All the miners are foreigners. A number of miners who were working near the openings escaped. The actual loss of life is not yet known. The fire is said to have started at 7:30 o'clock this morning soon after the day shift went to work. It appears that a barrel of oil caught

fire and later exploded, spreading burning oil in all directions. The fire spread with such rapidity that the miners on the lower tiers were unable to reach the shafts and all avenues of escape were cut off.

The mine is owned by Dr. D. B. Hailey, of McAlester, and is one of the biggest mining properties in the state. Soon after the fate of the entombed men became generally known crowds of wildly excited women and children, relatives of the unfortunate men appeared at the mouth of the shaft. Their grief was pitiable, and the fruitless cries of the entombed miners added much to the confusion. Those who were able to reach the surface were greeted with shouts of joy. The officials of the company, aided by the mine bosses and others, immediately set to work to rescue the men still in the mine. It was soon apparent, however, that no one could enter the mine, as volumes of smoke began to pour from the openings.

## GENERAL LAND OFFICE ANNUAL REPORT

### Showing Area of Land Undisposed Of on July 1

WASHINGTON, Aug. 26.—The general land office annual statement showing an area of public domain remaining undisposed of July 1, 1908. The government has an area of 754,859,296 acres surveyed and unsurveyed including the following: Alaska, 386,021,509; Arizona, 42,769,202; California, 29,872,493; Colorado, 23,696,697; Idaho, 26,785,002; Montana, 46,592,440; Nevada, 61,177,050; New Mexico, 44,777,905; Oregon, 16,857,913; Utah, 36,578,998; Washington, 4,450,000; Wyoming, 37,145,302.

ELMHURST, L. I., Aug. 26.—Antonio (Tony) Pastor, the theatrical manager died tonight after an illness of several weeks.

## APPLE SHIPMENTS EAST TAKE BIG JUMP

### RATES ADVANCE FROM 15 TO 25 CENTS PER HUNDRED POUNDS.

### WILL PROTEST THE ADVANCE

Northwestern Fruit Distributors' Association, Wire Western Growers and Shippers That a Meeting Will be Held at St. Paul.

PORTLAND, Aug. 26.—Announcement is made that after September 13 shippers of apples from Portland. The Dalles, Hood River and the Willamette Valley points, Spokane, Walla Walla, North Yakima, La Grande and in fact all the Pacific northwest points will be required to pay a sharp advance of rates to eastern points, the advance being from 15 to 25 cents per hundred pounds in excess of the rates now in force. That is not all. The minimum weight for mixed carload lots when apples are included will be increased from 20,000 to 24,000 pounds. The raise in rates is made by all receivers serving this territory. The Northwest Fruit Distributors' Association of Fargo, N. D., has wired the western growers and shippers that a meeting will be held in St. Paul to frame a protest against the advance in rates and requesting a representation from this territory.

## AN INDUCEMENT TO RECKLESS BANKING

### Is Objection to Bank Guaranty, Says Taft

### INCREASED DANGER

### The Proposed System Would Be Far More Dangerous to Deposits, He Says

### WOULD BOOST SPECULATION

### Speculation Would be Encouraged at the Expense of Bankers, Percentage of Taxation Would Have to be Greatly Increased.

HOT SPRINGS, Aug. 26.—"It puts a premium on the reckless banking and is an inducement to reckless banking." This Judge Taft, this afternoon, in a response direct to a question to state what in his opinion, was the vital objection to the proposed plan of guarantee to deposits in the national deposit banks.

"That is a fundamental objection," he said, and "Relieved the responsibility to any of his depositors, the tendency to induce exploitation, manipulation and use of assets of banks in a speculative way. It would promote speculation at the expense of his fellow bankers and that ultimately means at the expense of the depositors. Any proposition as to the amount of tax that should be assessed, as based on present rate of loss, is on an erroneous basis, as danger of loss of deposits is increased vastly by the proposed system, so that the percentage of tax would have to be vastly increased. Mr. Bryan did favor a guaranty, the government to raise a fund by taxing the banks, but the democratic platform provides for an enforced insurance which compels all the national banks to contribute to the insurance funds to meet the defaults of the speculators. I am told that such laws were in force in New York and that the result was that

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## WILL NOT DISCUSS HUGHES QUESTION

### Hitchcock Refuses to Give Opinion Regarding Effect of N. Y. Primaries Results on Ticket

NEW YORK, Aug. 26.—Chairman Frank H. Hitchcock of the National Republican Committee, today declined to discuss the New York State primaries in respect of any possible effect they may have on the governorship nomination, and later upon the national ticket. He insisted he had not committed himself in any manner for the governorship and said he did not think he was called upon to do so. In regard to the recent conference at Oyster Bay, which gathering was followed by a statement of John S. Sherman, the Republican candidate vice-president that the preponderance opinion there, favorable to Hughes, Hitchcock said: "Sherman stated explicitly that no determination of the governorship matter was effected." It is not expected that the views of any of the republican leaders who participated discussion at the president's summer home were altered by the fact that a number of counties in the primaries expressed themselves in opposition to the governor. Thus far the republican national committee has taken no stand in the Hughes matter. The governor has not been invited to speak in the national campaign and it is said that no invitation will be extended to him until after the New York state convention. The engagement Hughes has to speak in Youngstown, Ohio, September 5th, is not made under the auspices of the nation organization. If Hughes is re-nominated, the directors of speakers of the bureau of the national committee will begin immediately booking the governor to as many speeches as he will consent to make.

## MANY MEET BRYAN AT BIRTHPLACE

### Large and Enthusiastic Crowds Welcome Democratic Leader at Salem, Illinois

SALEM, Ills., Aug. 26.—No crowd of such size and enthusiasm ever turned out in this city, the birthplace of Bryan, as that today, when the democratic candidate stopped over to greet old friends and neighbors, and thousands of people who came into the city of special trains. The principal event of the speech by Bryan from the platform on the court house grounds in which he appealed to the "Roosevelt republicans" to support the democratic ticket, because he said, they could not hope for realization of the promised reforms of their party. Taft, he said, was not the heir to the republican reform. Bryan took up the question "Shall the People Rule?" and referring to Sherman's declaration, "People do rule," he said of Sherman: "He ought to know for he has been one of the fellows that have kept them from ruling. In the house of representatives he has been one of the men responsible for thwarting the will of the people, and I lay down the statement that the American people today do not rule. They do not conduct their own government, and a government conducted by others is not responsible to the will of the people. Now, if I am right, Mr. Taft is wrong and Mr. Sherman is wrong. When they say people do rule they admit people ought to rule and if they admit people ought to rule, if I can convince the country that the people do not rule, then we are entitled to the verdict at this election, and I am willing to meet the issue."